IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 21663 of 2004(D)

PETITIONER:

K.MUKUNDAN, S/O. AMBU,
MUKUNDALAYAM, KEERACHI, P.O. MANGATTIDAM,
THALASSERY.

BY ADV. SRI.P.P.RAMACHANDRAN.

RESPONDENTS:

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1. **DISTRICT COLLECTOR, KANNUR DISTRICT.**

2. **TAHSILDAR (R.R),**
   THALASSERY P.O., THALASSERY.

3. **ASST.ENGINEER,**
   K.S.E.B., VENGAD ELECTRICAL SECTION,
   P.O. VENGAD, THALASSERY TALUK.

BY ADV. SRI.C.C.THOMAS, SC, K.S.E.B
GOVT. PLEADER SMT. K.R. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.21663/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE CERTIFICATE RECEIVED FROM THE PANCHAYAT DT. 23/03/04.

EXT.P.2: COPY OF THE DEMAND NOTICE DT. 15/03/04 ISSUED BY THE R.2.

EXT.P.3: COPY OF THE APPEAL SUBMITTED BY THE PETITIONER BEFORE THE R.1. DT. NIL.

EXT.P.4: COPY OF THE DEMAND NOTICE ISSUED BY THE R.2. DTD. 19/05/04.

EXT.P.5: COPY OF THE POST CARD FROM THE VILLAGE OFFICER, DT. NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P. (C). NO. 21663 OF 2004

Dated this the 22nd day of June, 2007.

J U D G M E N T

Petitioner is aggrieved by the recovery steps initiated for recovering arrears of energy charges. The contention of the petitioner is that the electric connection which was availed for functioning a flour mill was not in use after 2001, when the mill was closed. However, despite request, the disconnection was only in the year 2003.

2. There will be a direction to the third respondent to see whether there was a request for disconnection of the supply when the flour mill is stated to have stopped functioning in the year 2001. If, as a matter of fact, there was such a request from the petitioner, there shall not be any liability on the part of the petitioner for the fixed charges after one month from the date of receipt of the request for disconnection.

The matter shall be enquired into by the third respondent with notice to the petitioner and appropriate orders in the light of

the above direction shall be passed within four months from the date of production of a copy of this judgment. Interim order passed by this Court will continue till such time.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp